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Attorneys for Defendant
DANIEL ARMSTRONG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

SHAREEF HASTINGS, TERRI SCOTT,
JACKSON GRANT, AMANDA DE LA
MERCED, and DANIEL ARMSTRONG,

Defendants.

Case No. CR 06-0336-SBA

**STIPULATION AND ORDER FOR
CONTINUANCE AND EXCLUSION
OF TIME UNDER THE SPEEDY
TRIAL ACT, 18 U.S.C. § 3161 ET. SEQ.**

Judge: Hon. Sandra Brown Armstrong

I. INTRODUCTION

On May 24, 2007, Judge Armstrong issued an Order setting a status conference for this action to be held on May 29, 2007, at 9:00 a.m, with Defendants Armstrong and Gant, both of whom are in custody. Mr. Armstrong's counsel are unavailable to appear that day, but are available on Tuesday, June 12, 2007.

II. STIPULATION

The United States, by its counsel Alicia Fenrick, Esq., and Daniel Armstrong, by his

attorney, Michael E. Liftik, Esq., stipulate as follows:

1. That the Status Conference hearing scheduled for May 29, 2007 at 9:00 a.m. for defendant Daniel Armstrong, before the Honorable Saundra Brown Armstrong, be vacated.

2. That Mr. Armstrong's Status Conference hearing be held on June 12, 2007 at 9:00 a.m.

3. That the period between May 29, 2007, and June 12, 2007, shall be excludable time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), on the grounds that additional time is needed to ensure Mr. Armstrong's counsel is available and afford him the continuity of counsel.

4. For the foregoing reasons, the parties stipulate and agree that the ends of justice served by the continuance requested herein outweigh the best interests of the public and the defendant in a speedy trial because the failure to grant such a continuance would deny Mr. Armstrong the effective representation of his counsel.

DATED: May 25, 2006

Respectfully submitted,

HELLER EHRMAN LLP

By /S/

MICHAEL E. LIFTIK

Attorneys for Defendant

DANIEL ARMSTRONG

By /S/

ALICIA FENRICK*

Assistant United States Attorney

* I, Michael E. Liftik, attest that Alicia Fenrick has read and approved the STIPULATION AND [PROPOSED] ORDER FOR CONTINUANCE AND EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT, 18 U.S.C. § 3161 ET. SEQ. and consents to its filing in this action.

FINDINGS AND ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby FINDS:

1) The ends of justice served by the granting the continuance requested herein outweigh the best interests of the public and the defendant in a speedy trial.

2) The failure to grant the continuance requested herein would deny the Defendant continuity of counsel.

3) Granting the continuance requested herein would serve the interests of efficiency and judicial economy.

Based on these findings, IT IS HEREBY ORDERED THAT:

1) The hearing set for defendant Daniel Armstrong for May 29, 2007, scheduled at 9:00 a.m. before the Honorable Saundra Brown Armstrong be vacated and reset for June 12, 2007 at 9:00 a.m.

2) Time be excluded under the Speedy Trial Act from May 29, 2007 to June 12, 2007.

IT IS SO ORDERED

DATED: 5/29/07


THE HONORABLE SAUNDRA BROWN
ARMSTRONG
UNITED STATES DISTRICT JUDGE